

Docket No.: 3174D-0002



USPTO
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Tareq Nasser Albuaijan

U.S. Patent Application No. 09/779,661

Filed: February 9, 2001

U.S. Patent No. 6,435,022

Issued: August 20, 2002

For: PARTIAL STROKE TESTING SYSTEM

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Confirmation No. 6202

Group Art Unit: 2856

Examiner: Robert R. Raevis

08/29/2011 DALLIN 00000010 6435022

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**PETITION TO ACCEPT LATE PAYMENT OF MAINTENANCE FEES
AFTER PATENT EXPIRATION WHERE THE DELAY WAS UNAVOIDABLE**

MAIL STOP: PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. 1.378 Applicant hereby submits:

Payment pursuant to 37 C.F.R. 1.20(e)-(g)	\$ 490.00
	<u>\$1,240.00</u>
	\$1,730.00
The surcharge set forth in 37 C.F.R. 1.20(i)(I)	<u>\$ 700.00</u>
Credit card authorization enclosed for:	\$2,430.00

The following shows: 1. The delay was unavoidable since reasonable care was taken to ensure that the maintenance fees would be paid timely; and 2. This petition is being filed promptly after the patentee became aware of the expiration of the patent.

**STEPS TAKEN TO ENSURE THAT ALL PAYMENTS
OF MAINTENANCE FEES WOULD BE TIMELY MADE
AND DOCUMENTS IN SUPPORT THEREOF**

Steps taken to ensure that all payments of maintenance fees would be timely made are set forth in the following Declarations and documents:

Declaration of David E. Dougherty	Attorney of record in the prosecution of the Tareq Nasser Albuaian patent application including payment of issue fee paid
Declaration of Ricardo A. Young	Docket manager of Lowe Hauptman Ham & Berner, LLP
Declaration of Daphne A. Ward	Secretary and legal assistant to David E. Dougherty
Declaration of Joy Climo	Patent secretary and docket manager at Dennison and MacDonald and previously secretary and docketing assistant at Dennison Schultz and Dougherty

Applicant's position is further supported by the following documents:

- Transaction History for Partial Stroke Testing System downloaded from U.S.P.T.O. (Exhibit A)
- Evidence of correspondence address change and continuing use of wrong address after receiving change of address notification (Exhibit B)
- Part B – Fee Transmittal from U.S.P.T.O. (Exhibit C)
- Notice of Patent Expiration addressed to Dougherty and Troxell (Exhibit D)

**STEPS TAKEN TO SHOW THAT PROMPT
ACTION WAS TAKEN IN FILING THIS PETITION**

Steps taken to show that prompt action was taken in filing this petition are shown in the following Declarations:

- Declaration of Tareq Nasser Albuaijan (Patentee)
- Declaration of Omar Al Bannai, Ph.D. (Director General, SAC)
- Declaration of David E. Dougherty (see above)
- Declaration of George Miller (Retired senior primary examiner, Registration No. 38,777)
- Declaration of Ricardo A. Young (Docket Manager at LHHB, LLP)
- Declaration of Daphne A. Ward (Legal Assistant to David E. Dougherty)
- Declaration of Joy Climo (Patent Secretary and Docket Manager at Dennison Schultz and Dougherty and Dennison and MacDonald)

PETITIONER REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP

A handwritten signature in black ink, appearing to read "David E. Dougherty", with a stylized flourish at the end.

DAVID E. DOUGHERTY
Registration No. 19,576

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
Telephone: (703) 684-1111
Facsimile: (703) 518-5499
DED/daw

Date: August 24, 2011

Docket No.: 3174D-0002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
Tareq Nasser Albuaijan	:	Confirmation No. 6202
U.S. Patent Application No. 09/779,661	:	
Filed: February 9, 2001	:	Group Art Unit: 2856
U.S. Patent No. 6,435,022	:	Examiner: Robert R. Raevis
Issued: August 20, 2002	:	
For: PARTIAL STROKE TESTING SYSTEM	:	

DECLARATION OF DAVID E. DOUGHERTY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, David E. Dougherty hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code in which such willful false statements may jeopardize the validity of the above-identified application or any patent issued therefrom:

I, David E. Dougherty certify that I am a registered U.S. patent attorney, a member of the Virginia State Bar and the attorney who prosecuted the patent application of Tareq Nasser Albuaijan, Serial No. 09/779,661 that matured into U.S. Patent No. 6,435,022.

On August 4, 2011 in the afternoon, I received a telephone call from Dr. Omar Al Bannai, Director General of the Sabah Al-Ahmad Center for Giftedness & Creativity ("SAC") in Kuwait. The SAC helps Kuwait inventors to communicate with U.S. patent attorneys, obtain and

maintain U.S. patents. Dr. Al Bannai asked me why the Albuaian patent was listed as expired and why they had not been informed of the due dates for payment of maintenance fees.

Immediately after my conversation with Dr. Omar Al Bannai, I personally checked with my legal assistant to verify the expiration of the patent and searched through my active and patented files, but was unable to find the file folder. Since my entry into private practice in 1986 my files have been organized by client number/project number as for example in the present case 3174D-0002. At that time I was unable to locate the file.

On or about 6:00 a.m. the next morning, Friday, August 5, 2011 I left for the airport for a previously scheduled trip to San Francisco and on Monday, August 8, 2011 took a return flight to Washington Dulles Airport.

At the Dougherty and Troxell firm, the Dennison Schultz and Dougherty firm, Dennison Schultz Dougherty and MacDonald firm and subsequently at the Lowe Hauptman Ham and Berner, LLP firm, I maintained my files separately from firm files to the extent that all of my files were together even though several file cabinets may have been in rooms with other firm file cabinets.

On or about Tuesday, August 9, 2011, after learning that the U.S.P.T.O. file could not be downloaded electronically, I contacted George Miller, a retired Senior Primary Examiner, Registration No. 38,777 and asked him to obtain copies of various documents selected from the Patent Office's Transaction history. I previously obtained a printout of the contents of that file and understood that the patent file had been sent to storage.

On or about August 16, 2011 I received copies of the requested documents from the USPTO file.

One document, from the U.S.P.T.O. Transaction history (copy attached as Exhibit A) showed that on March 14, 2001 the Patent Office received a change of address in the above-

identified application that matured into U.S. Patent No. 6,435,022. Further at this stage my file had been found and a signed change of address notice and acknowledgement of receipt of that change of address bearing the Patent Office stamp were obtained from my file. Copies of those documents are enclosed as Exhibit B.

On June 27, 2002 we paid an Issue Fee on an Issue Fee Transmittal form sent from the U.S.P.T.O. and addressed to Dougherty and Troxell. A copy is enclosed as Exhibit C. I assume that this was obtained as a result of our efforts to pick up any miss sent mail to my former firm.

A copy of a Notice of Patent Expiration addressed to Dougherty and Troxell was obtained from the U.S.P.T.O. file. A copy is enclosed as Exhibit D.

Upon moving to Dennison Schultz and Dougherty I again elected to maintain my files separately from those of the firm and did so through the entire stay. A number of my file cabinets were placed in rooms with the firm files but were maintained separately.

On Thursday, August 18, 2011, I was reviewing proposed and signed declarations and a petition to revive U.S. Patent No. 6,435,022 when I realized that I had made a declaration about receiving a telephone call from Dr. Omar Al Bannai but did not have a Declaration from Dr. Omar Al Bannai or from the inventor as to when they learned that the maintenance fees for his patent had not been paid. I immediately reviewed the documents and prepared a proposed declaration for Dr. Al Bannai and one for the inventor based on my earlier conversation with Dr. Al Bannai and on my working relationship with the inventor. To be more specific, knowing the inventor as I do, I knew that the inventor would almost immediately contact Dr. Omar Al Bannai upon learning that his patent had expired.

On Thursday, August 18, 2011, I did not try to telephone Mr. Tareq Nasser Albuaian because at the time I recognized that it was too late to telephone in view of the seven hour time difference between the United States and Kuwait.

On or about Friday, August 19, 2011, I sent proposed declarations for signatures to Dr. Omar Al Bannai and Mr. Tareq Albuaijan.

On Monday afternoon, August 22, 2011, I received signed declarations from Kuwait.

As shown by the Notice of Allowability and Notice of Patent Expiration, the U.S.P.T.O. after receiving a change of address of March 14, 2001 continued to send correspondence to the prior address of the Dougherty and Troxell firm. Had the Notice of Patent Expiration been reported to Dennison Schultz and Dougherty, it would have been immediately revived in view of the standing instructions from the Kuwait Foundation for the Advancement of Sciences (KFAS).

During the first two to three years after leaving the Dennison Schultz Dougherty and MacDonald firm I maintained a close relationship with my former firm and picked up any mail misdirected to me at Dennison Schultz and Dougherty every one to three weeks. And even today I periodically check for mail miss sent at least once a month. For example, I routinely drop off drawings or pickup formal drawings from Robert Busch an independent patent draftsman who was a subtenant of Dennison Schultz and MacDonald and is presently a subtenant of Dennison and MacDonald.

The Petition filed herewith on August 24, 2011 was essentially ready for filing on August 23, 2011, but the filing was postponed due to an earthquake.

Further declarath sayath not.

David E. Dougherty



8/24/11
Date

Docket No.: 3174D-0002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
Tareq Nasser Albuaijan	:	Confirmation No. 6202
U.S. Patent Application No. 09/779,661	:	
Filed: February 9, 2001	:	Group Art Unit: 2856
U.S. Patent No. 6,435,022	:	Examiner: Robert R. Raevis
Issued: August 20, 2002	:	
For: PARTIAL STROKE TESTING SYSTEM	:	

DECLARATION OF RICARDO A. YOUNG

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Ricardo A. Young hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code in which such willful false statements may jeopardize the validity of the above-identified application or any patent issued therefrom:

I, Ricardo A. Young certify that I am the docketing manager of the law firm of Lowe Hauptman, Berner and Ham, LLP. I have been the docketing manager at Lowe Hauptman Berner and Ham, LLP since September of 2004 and in accordance with standard docketing procedures I routinely enter into the firm's computerized database all records and pending due dates as necessary. In addition all incoming correspondence, in particular from the USPTO is directly routed to me for docketing into the system daily.

During the month on or about May 1, 2006, attorney David E. Dougherty joined the firm. During this period of transition from his previous firm (Dennison Schultz and Dougherty) into ours it was discovered that his records could not be electronically transferred into our system. As I was the sole individual tasked with maintaining the firm's database I was tasked with manually entering all of his records (in excess of 3500 records) into our database. In an effort to complete this task as quickly, accurately and efficiently as possible, it was determined that only active cases (e.g. pending, patented) would be entered into the database. Any inactive cases (e.g. abandoned) were deemed less urgent and not necessary to enter. It is estimated that it took me until the end of 2006 to enter into our database all of the records that came from his previous firm.

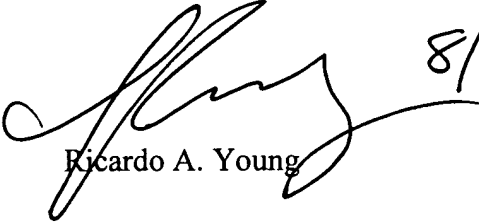
In addition, we subsequently continued to receive communications from the USPTO and additional records active and inactive transferred from his previous firm for the next years or more.

The record 3174D-0002 (U.S. Patent Number 6,435,022) was initially due for its first maintenance fee on February 20, 2006 with a late payment possible until August 20, 2006. This record had not been transferred to our firm during the transition period of May 2006 to December 2006. It is further noted the case was not transferred to our custody until sometime during year 2007 or later and was shipped with additional abandoned cases and miscellaneous communications from Mr. Dougherty's previous firm. At that time it was already abandoned and unknown to me that it in fact was to have been maintained in force.

It was only recently discovered in August of this year through a call from the client to inquire about the status of the patent that should have been kept in force. The record was located and noted of the expiration since 2006 and immediately entered into the records database. It was also noted that no record was ever received of a Maintenance Fee reminder from the USPTO and also no Notice of Patent Expiration was ever received by the firm of Lowe Hauptman Ham and Berner, LLP.

If either of the previous mentioned communications from the USPTO were received by this office, the payment would have been timely made.

Further declarath sayath not.

 8/23/2011
Ricardo A. Young

Docket No.: 3174D-0002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
Tareq Nasser Albuaijan	:	Confirmation No. 6202
U.S. Patent Application No. 09/779,661	:	
Filed: February 9, 2001	:	Group Art Unit: 2856
U.S. Patent No. 6,435,022	:	Examiner: Robert R. Raevis
Issued: August 20, 2002	:	
For: PARTIAL STROKE TESTING SYSTEM	:	

DECLARATION OF DAPHNE A. WARD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Daphne A. Ward hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code in which such willful false statements may jeopardize the validity of the above-identified application or any patent issued therefrom:

I, Daphne A. Ward certify that I am a senior patent secretary, legal assistant presently working for David E. Dougherty at the Lowe Hauptman Berner and Ham, LLP law firm. From some time prior to 2000 I have worked as a patent secretary and in docketing matters relating to patent prosecution and maintenance.

During the period from May 1, 2002 and for several months thereafter, I worked part-time for Mr. Dougherty. During this period Doreen Tallman (full-time secretary to Mr. Dougherty) and the docket manager, Eric Taylor, and myself reviewed each of the files of Mr. Dougherty and entered the docketing matters into the electronic docketing system for Dennison Schultz and Dougherty.

Based on my memory, all files that I was responsible for were properly docketed and entered into the electronic docketing system. I also believed that all of Mr. Dougherty's files at Dougherty and Troxell were moved to Dennison Schultz and Dougherty.

For a period of several months following Mr. Dougherty's move from the Dennison Schultz Dougherty and MacDonald firm to the firm of Lowe Hauptman Ham & Berner, LLP, I entered docketing information from Mr. Dougherty's files into the electronic docketing system of Lowe Hauptman Ham & Berner, LLP.

To the best of my knowledge each of Mr. Dougherty's files that I entered into the electronic docketing system of Lowe Hauptman Ham & Berner, LLP were properly docketed into the Lowe Hauptman Ham & Berner, LLP docket.

On or about 1:50 p.m. on August 23, 2011, I was making copies of documents for filing in the above-identified matter when we told to leave the building and subsequently told to leave the area due to an earthquake. Shortly thereafter we were told that we could leave for the day. In view of the above, our filing of the Petition to Revive the above-identified patent was delayed by one day.

Further declarath sayath not.

Daphne A. Ward
Daphne A. Ward

8/24/11
Date

Docket No.: 3174D-0002



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
Tareq Nasser Albuaijan	:	Confirmation No. 6202
U.S. Patent Application No. 09/779,661	:	
Filed: February 9, 2001	:	Group Art Unit: 2856
U.S. Patent No. 6,435,022	:	Examiner: Robert R. Raevis
Issued: August 20, 2002	:	
For: PARTIAL STROKE TESTING SYSTEM	:	

DECLARATION OF JOY CLIMO

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Joy Climo hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code in which such willful false statements may jeopardize the validity of the above-identified application or any patent issued therefrom:

I, Joy Climo certify that I am a patent secretary, legal assistant and docketing manager for the firm of Dennison Schultz and Dougherty and its successors including Dennison and MacDonald. During that period I worked as a patent secretary and presently as a docketing manager but previously as doing the docketing for Mr. Malcolm MacDonald.

On or about August 10, 2011, I was asked by Mr. Dougherty to review the docketing for the aforementioned firms for the U.S. Patent No. 6,435,022 in the name of Tareq Nasser Albuaijan. I reviewed the files and based on my review of the active patent files and issued patents this file was not in our docketing system. I was also asked to check our docket for paying the maintenance fees for the aforementioned patent. Based on my review of the file the maintenance fees were not presently listed in our electronic docket.

Further declarath sayath not.

A handwritten signature in black ink, appearing to read "Joy Climo". The signature is written in a cursive, flowing style.

Joy Climo



Docket No.: 3174D-0002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
Tareq Nasser Albuaijan	:	Confirmation No. 6202
U.S. Patent Application No. 09/779,661	:	
Filed: February 9, 2001	:	Group Art Unit: 2856
U.S. Patent No. 6,435,022	:	Examiner: Robert R. Raevis
Issued: August 20, 2002	:	
For: PARTIAL STROKE TESTING SYSTEM	:	

DECLARATION OF TAREQ NASSER ALBUAIJAN

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Tareq Nasser Albuaijan hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code in which such willful false statements may jeopardize the validity of the above-identified application or any patent issued therefrom:

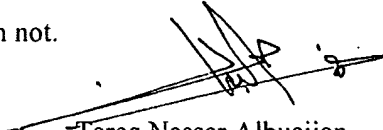
On or about August 4, 2011, I learned that my U.S. Patent No. 6,435,022 was expired due to nonpayment of maintenance fees. I immediately called Dr. Omar Al Bannai and asked why this had happened. Dr. Al Bannai replied that he would immediately call the U.S. attorneys and find out what had happened and what could be done to revive the patent.

On or about August 10, 2011, Dr. Al Bannai reported to me that Mr. Dougherty had assured him that they would file a petition to revive my patent.

Application No.: 09/779,661

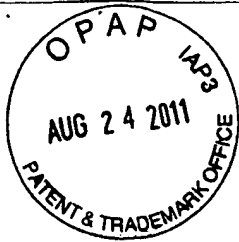
Docket No.: 3174D-0002

Further declarath sayath not.


Tareq Nasser Albuaijan

8-21-2011

Date



Docket No.: 3174D-0002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:
Tareq Nasser Albuaian	: Confirmation No. 6202
U.S. Patent Application No. 09/779,661	:
Filed: February 9, 2001	: Group Art Unit: 2856
U.S. Patent No. 6,435,022	: Examiner: Robert R. Raevis
Issued: August 20, 2002	:
For: PARTIAL STROKE TESTING SYSTEM	:

DECLARATION OF OMAR AL BANNAI, PhD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Omar Al Bannai, PhD hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code in which such willful false statements may jeopardize the validity of the above-identified application or any patent issued therefrom:

In 2005 I was awarded a Dr. of Philosophy Degree in Education Management from the American University in London, U.K.;

In 1996 I received a Master of Education Degree in Technology Education from the University of Manchester, U.K.;

In 1992 I received a Bachelor of Science Degree from Wentworth Institute of Technology, Boston, MA; U.S.A.;

In 1988 I received an Associate Degree in Electrical Engineering from the Kuwait Institute of Technology in Kuwait;

From June 2010 until the present, I have been General Director of Sabah Alahmad Center for Gifted and Creativity;

I am a co-inventor of a an Atrial Septal Occluder Device and Method as described and claimed by U.S. Patent Application No. 12/773,114 filed on May 4, 2010.

I am a co-inventor of a Cervical Therapy Device, a Medical Device for Neck Disc Treatment described and claimed in U.S. Patent No. 6,599,257 B2 dated July 29, 2003.

In 1999 I received a patent as a sole inventor of U.S. Patent No. 6,001,019 A, issued in 1999.

On August 4, 2011, I received a telephone call from Tareq Nasser Albuaian. Mr. Albuaian immediately asked me why we had allowed his patent U.S. Patent No. 6,435,022 to expire and why we had not paid the maintenance fees to maintain his patent.

Mr. Dougherty promised to look into it and telephoned me on August 10, 2011 and reported that he was preparing a petition to revive the patent but was waiting for copies of documents from the USPTO file that were reported to be in storage.

Further declarath sayath not.

Omar Al Bannai, Ph.D.


Date

مركز صباح الأحمد للموهبة والابداع
Sabah Al-Ahmad Center For Giftedness & Creativity



Socket No.: 3174D-0002

PATENT

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In re Application of	:	
Tareq Nasser Albuaijan	:	Confirmation No. 6202
U.S. Patent Application No. 09/779,661	:	
Filed: February 9, 2001	:	Group Art Unit: 2856
U.S. Patent No. 6,435,022	:	Examiner: Robert R. Raevis
Issued: August 20, 2002	:	
For: PARTIAL STROKE TESTING SYSTEM	:	

DECLARATION OF GEORGE MILLER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, George Miller hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code in which such willful false statements may jeopardize the validity of the above-identified application or any patent issued therefrom:

I, George Miller certify that I received a telephone call from David E. Dougherty on or about Tuesday, August 9, 2011. Mr. Dougherty asked me to obtain copies of documents from the U.S. Patent and Trademark Office file for U.S. Patent No. 6,435,022 in the name of Tareq Nasser Albuaijan. Mr. Dougherty identified several documents and told me that the USPTO had reported that the file had been sent to storage.

I promptly ordered copies of the requested documents, obtained them and delivered them to Mr. Dougherty on or about August 17, 2011.

Further declarath sayath not.

George Miller, Reg. No. 38 777
George Miller

Aug. 23, 2011

Date

09/779,661

PARTIAL STROKE TESTING SYSTEM

3174/2

08-09-
2011::15:33:39**Transaction History**

Date	Transaction Description
09-20-2006	Expire Patent
08-20-2002	Recordation of Patent Grant Mailed
08-01-2002	Issue Notification Mailed
08-20-2002	Patent Issue Date Used in PTA Calculation
07-15-2002	Receipt into Pubs
06-27-2002	Issue Fee Payment Verified
02-09-2001	Workflow - Drawings Finished
02-09-2001	Workflow - Drawings Matched with File at Contractor
07-02-2002	Application Is Considered Ready for Issue
06-27-2002	Workflow -Received 85b - Unmatched
06-27-2002	Issue Fee Payment Received
05-04-2002	Receipt into Pubs
04-02-2002	Workflow - File Sent to Contractor
04-02-2002	Receipt into Pubs
04-02-2002	Receipt into Pubs
03-28-2002	Dispatch to Publications
03-27-2002	Mail Notice of Allowance
03-26-2002	Notice of Allowance Data Verification Completed
03-21-2002	Date Forwarded to Examiner
03-13-2002	Response after Non-Final Action
03-13-2002	Request for Extension of Time - Granted
10-25-2001	Mail Non-Final Rejection
10-24-2001	Non-Final Rejection
10-20-2001	Date Forwarded to Examiner
10-12-2001	Response to Election / Restriction Filed
10-12-2001	Request for Extension of Time - Granted
08-31-2001	Mail Restriction Requirement
08-30-2001	Restriction/Election Requirement
02-09-2001	Miscellaneous Incoming Letter
06-08-2001	Case Docketed to Examiner in GAU
04-02-2001	Transfer Inquiry
03-19-2001	Application Dispatched from OIPE
03-14-2001	Correspondence Address Change
02-28-2001	IFW Scan & PACR Auto Security Review
02-09-2001	Initial Exam Team nn

Close Window

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
 :
 ALBUAIJAN : Group Art Unit: 2856
 :
 Serial No. 09/779,661 : Examiner: R. Raevis
 :
 Filed: February 9, 2001 :
 :
 For: PARTIAL STROKE TESTING :
 SYSTEM :

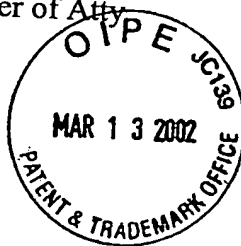
TRANSMITTAL COVER SHEET

Inventor: ALBUAIJAN Serial No: 09/779,661 Docket No: 3174/2
 For: PARTIAL STROKE TESTING SYSTEM

Due date: January 25, 2002 Date filed: March 13, 2002 Initials: DED/dmt

This will acknowledge receipt in the Patent & Trademark Office of the following:

- | | |
|--|---|
| <input type="checkbox"/> New patent application (37CFR1.53b) | <input type="checkbox"/> Claim for priority |
| <input type="checkbox"/> Provisional patent applic.(37CFR1.53c) | <input type="checkbox"/> Priority document |
| <input type="checkbox"/> Continued prosecution applic.(37CFR1.53d) | <input checked="" type="checkbox"/> Amendment |
| <input type="checkbox"/> pages of Specification; _____ Claims | <input type="checkbox"/> Info. Discl. Statement; _____ Refs. |
| <input type="checkbox"/> sheet of Drawings; Fig _____ | <input checked="" type="checkbox"/> Petition for Ext. of Time; <u>2</u> Mo. |
| <input type="checkbox"/> Combined Declaration & Power of Atty | <input type="checkbox"/> Issue fee transmittal |
| <input type="checkbox"/> Small entity declaration | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> Appeal Brief (triplicate) |
| <input type="checkbox"/> Revocation of pwr. of atty. & | <input checked="" type="checkbox"/> Transmittal cover sheet |
| <input type="checkbox"/> Appointment of new atty. | <input checked="" type="checkbox"/> Check: \$200.00 |
| <input checked="" type="checkbox"/> Other : Change of Address | |



- | | |
|---|------------------------------------|
| <input type="checkbox"/> Trademark applic. | <input type="checkbox"/> Drawing |
| <input type="checkbox"/> Trademark applic. | <input type="checkbox"/> Specimens |
| <input type="checkbox"/> Section 8 & 15 Affidavit | |

☐ Please provide EARLY NOTIFICATION of the SERIAL NUMBER for the above application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
:
ALBUAIJAN : Group Art Unit: 2856
:
Serial No. 09/779,661 : Examiner: R. Raevis
:
Filed: February 9, 2001 :
:
For: PARTIAL STROKE TESTING :
SYSTEM :

CHANGE OF ADDRESS

Assistant Commissioner for Trademarks
Washington, D.C. 20231

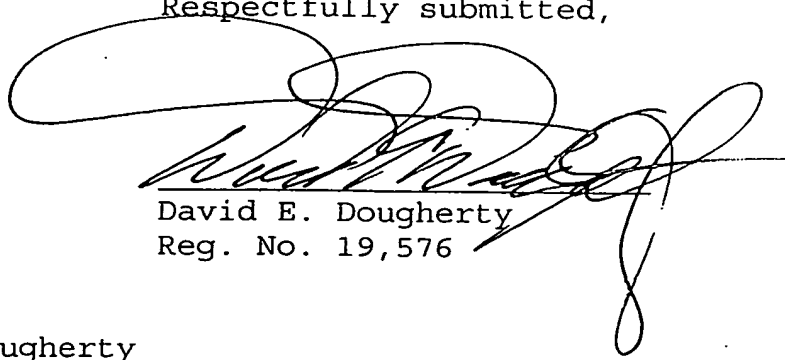
Sir:

Effective March 18, 2002, please forward all further
correspondence in this application to David E. Dougherty at
the new address as follows:

David E. Dougherty
Dennison, Schultz & Dougherty
612 Crystal Square 4
1745 Jefferson Davis Highway
Arlington, VA 22202
Tel: 703-412-1155 Ext. 17
Fax: 703-412-1161

Respectfully submitted,

March 13, 2002
Date


David E. Dougherty
Reg. No. 19,576

David E. Dougherty
Dennison, Schultz & Dougherty
612 Crystal Square 4
1745 Jefferson Davis Highway
Arlington, VA 22202
Tel: 703-412-1155 Ext. 17
Fax: 703-412-1161



Exhibit C

RC

PART B - FEE(S) TRANSMITTAL

Complete and mail this form, together with applicable fee(s), to:

Box ISSUE FEE
Assistant Commissioner for Patents
Washington, D.C. 20231

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

03/27/2002

DOUGHERTY & TROXELL
SUITE 1404
5205 LEEBSBURG PIKE
FALLS CHURCH, VA 22041

Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

Certificate of Mailing

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,661	02/09/2001	Tareq Nasser Albuaijan	3174/2	6202

TITLE OF INVENTION: PARTIAL STROKE TESTING SYSTEM

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
11	nonprovisional	YES	\$540	\$300	\$940	06/27/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAEVIS, ROBERT R	2856	073-168000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Dennison, Schultz
& Dougherty
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☒ Publication Fee
☒ Advance Order - # of Copies 3

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

David E. Dougherty 19,576

03/27/02

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

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07/01/2002 RHRIS2 00000156 09779661

01 FC:242
02 FC:361
03 FC:195

640.00 IP
9.00 IP
300.00 IP

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES PATENT AND TRADEMARK OFFICE



Exhibit D

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

P75M

DOUGHERTY & TROXELL
SUITE 1404
5205 LEESBURG PIKE
FALLS CHURCH VA 22041

DATE PRINTED

09/20/06

NOTICE OF PATENT EXPIRATION

According to the records of the U.S. Patent and Trademark Office (USPTO), payment of the maintenance fee for the patent(s) listed below has not been received timely prior to the end of the six-month grace period in accordance with 37 CFR 1.362(e). THE PATENT(S) LISTED BELOW HAS THEREFORE EXPIRED AS OF THE END OF THE GRACE PERIOD. 35 U.S.C. 41(b). Notice of the expiration will be published in the USPTO Official Gazette.

Expired patents may be reinstated in accordance with 37 CFR 1.378 if upon petition, the maintenance fee and the surcharge set forth in 37 CFR 1.20(i) are paid, AND the delay in payment of the maintenance fee is shown to the satisfaction of the Director to have been unavoidable or unintentional. 35 U.S.C. 41(c)(1).

If the Director accepts payment of the maintenance fee and surcharge upon petition under 37 CFR 1.378, the patent shall be considered as not having expired but would be subject to the intervening rights and conditions set forth in 35 U.S.C. 41(c)(2).

For instructions on filing a petition under 37 CFR 1.378 to reinstate an expired patent, you may call the USPTO Contact Center at 800-786-9199 or 571-272-1000.

PATENT NUMBER	U.S. APPLICATION NUMBER	PATENT ISSUE DATE	APPLICATION FILING DATE	EXPIRATION DATE	ATTORNEY DOCKET NUMBER
6435022	09779661	08/20/02	02/09/01	08/21/06	